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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,350	06/21/2001	Christian L. Struble	10005647-1	8895

7590 06/28/2005  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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GIBBS, HEATHER D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/888,350	<b>Applicant(s)</b> STRUBLE, CHRISTIAN L.	
	<b>Examiner</b> Heather D. Gibbs	<b>Art Unit</b> 2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/21/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152).            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed on 12/20/2004 has been entered and made of record.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues "Browning is directed to a handheld scanner and not a system with distinct elements of a scanner, mobile computing device, and document server that interact in the manner claimed by Applicant". Upon further review, the examiner finds Browning to be relevant to the applicant's invention in that both are from the same field of endeavor.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 10, 12-13, 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Lamming et al (US 5,862,321).

Regarding claim 1, which is representative of claims 10, 12, 19-20, Lamming teaches a method of document scanning comprising: wirelessly communicating a request, initiated by a mobile computing device; imaging the paper document with the scanner to produce the electronic document; and sending the electronic document from

the scanner to the identified document server (Col 5 Lines 29-43; Fig 1; Col 10 Lines 22-30).

Considering claim 2, which is representative of claim 21, Lamming discloses wherein the communicating step further comprises wirelessly sending from the mobile computing device, directly through at least one of a radio and infrared communication protocol, to the scanner a request to image a paper document in the scanner (Col 10 Lines 31-36).

Regarding claim 11, Lamming teaches a multifunction printer incorporating the imaging mechanism and wireless communication module (Ref 38; Col 9 Lines 40-47).

For claim 13, Lamming discloses wherein the wireless communication module is configured for wirelessly sending the electronic document to the document server (Col 7 Line 65- Col 8 Line 9).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-9, 14-18, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamming et al (US 5,862,321) in view of Browning (US 6,081,629).

Regarding claim 4, which is representative to of claims 6, 14, 18, 23-24, Lamming et al disclose a method of wirelessly activated document transportation comprising: wirelessly sending from a mobile computing device to a scanner a request to image a

paper document at the scanner; imaging the document with the scanner to produce an electronic document (Col 5 Lines 29-43; Fig 1; Col 10 Lines 22-30).

Lamming et al does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning discloses sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device (Col 4 Lines 3-14; 42-51).

Lamming & Browning are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the obtaining of wireless address as taught by Browning with the wireless scanner of Lamming.

The suggestion/motivation for doing so would have been to request a document via an address of the scanner. Therefore, it would have been obvious to combine Browning with Lamming to obtain the invention as specified.

Considering claim 3, which is representative of claim 22, Lamming et al disclose the wireless scanner as discussed above.

Lamming et al do not disclose expressly wherein the communicating step further comprises: wirelessly obtaining with the mobile computing device an address of the scanner and a document identifier of the paper document; wirelessly sending from the mobile computing device to the document server an address of the scanner and the

document; and querying the scanner with the document server using the scanner address and the document identifier to request the electronic document.

Browning discloses the method wherein the communicating step further comprises: wirelessly obtaining with the mobile computing device an address of the scanner and a document identifier of the paper document; wirelessly sending from the mobile computing device to the document server an address Of the scanner and the document; and querying the scanner with the document server using the scanner address and the document identifier to request the electronic document (Col 4 Lines 3-14).

Lamming & Browning are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the obtaining of wireless address as taught by Browning with the wireless scanner of Lamming.

The suggestion/motivation for doing so would have been to request a document via an address of the scanner. Therefore, it would have been obvious to combine Browning with Lamming to obtain the invention as specified.

Regarding claim 5, Browning teaches sending a password from the mobile computing device to the scanner to authorize scanning the paper document ([user verification] Col 1 Lines 45-57).

Regarding claim 7, Browning teaches The method Of claim 6, and further comprising: prior to the first sending step, wirelessly obtaining from the scanner with the

mobile computing device the scanner address and the document identifier (Col 5 Lines 54-67).

Regarding claim 8, Browning teaches the method of claim 6 and further comprising: imaging a paper document with the scanner to produce the electronic document (Col 2 Lines 46-58).

Considering claim 9, Browning teaches the method of claim 8 and further comprising: storing the electronic document in a memory component of the scanner for retrieval by the document server (Col 4 Lines 3-14; 42-51).

Regarding claim 15, Lamming teaches wherein the scanner further comprised a multifunction printer configured for copying, scanning, faxing, and emailing documents (Ref 38; Col 9 Lines 40-47).

Considering claim 16, Browning teaches the scanning system of claim 14 and further comprising: a network communication link configured for facilitating communication between the mobile computing device, the scanner, and the document server (Col 3 Lines 33-44).

Regarding claim 17, Browning teaches the scanning system of claim 14, wherein the mobile computing device further comprises at least one of a personal digital assistant, a portable computer, and a mobile phone (Col 3 Lines 28-33).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

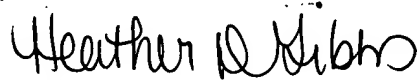
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Heather D Gibbs  
Examiner  
Art Unit 2622

hdg



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